IN THE HIGH COURT OF JUDICATURE
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR
and
THE HON'BLE MR JUSTICE D.APPA RAO

WP No. 20401 of 2006

Dated: 28th September 2006.

Between:

M/s. Emami Limited .. Petitioner

And

Addl. Commissioner (CT) (Legal),
O/o the Commissioner of Commercial
Taxes, Hyderabad and two others .. Respondents

ORAL ORDER: (per JC,J)

The petitioner is a company carrying on the business in manufacture and sale of drugs as well as cosmetics. For the assessment year 2001-02, the tax liability of the petitioner under the APGST Act is determined by the assessing authority by an order dated 29.1.2003. Aggrieved by the same, the petitioner carried the matter in appeal before the Appellate Deputy Commissioner unsuccessfully. The petitioner carried the matter in a further appeal before the Sales Tax Appellate Tribunal. The petitioner also filed an application before the 1st respondent seeking stay of the collection of disputed tax during the pendency of the appeal. The stay application was rejected by the impugned order dated 20.9.2006. Hence the present writ petition.

Heard the learned Government Pleader.

In the circumstances, we are of the opinion that the matter can be disposed of at this stage directing the respondents not to take any coercive steps for the recovery of the tax due from the petitioner for the above mentioned assessment year on condition the petitioner pays 50% of the tax due within a period of two weeks from today. While computing the above mentioned amount of 50%, the amount of tax if any paid with reference to the above mentioned assessment, the same shall be given credit to. The writ petition is accordingly disposed of.

(J.CHELAMESWAR, J)

(D.APPA RAO,J)

28th September, 2006.

Knk

Note :

Operative portion by wire at party's costs

(b/o)

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